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October 12, 2016

WVNS
EVNS
Al Sandubrae
General Manager
P.O. Box 509
141 Old Cline Road
Ghent, WV 25843

Re: Mountaineers Are Always Free PAC
Cease and Desist Letter

Dear Mr. Sandubrae:

As you know, I am general counsel for the Doug Reynolds for Attorney General campaign. It has come to our attention that WVNS/EVNS is broadcasting a political advertisement sponsored by the Mountaineers Are Always Free Political Action Committee.

This ad includes the following blatantly false statement: "That's why Clinton is helping the Reynolds's team raise money, Clinton supports Reynolds. Reynolds supports Clinton."

Hillary Clinton has absolutely no involvement in Mr. Reynolds's campaign. Hillary Clinton has not assisted Mr. Reynolds in raising any money to fund his campaign. Hillary Clinton has not contributed any money to Mr. Reynolds's campaign. Hillary Clinton has not issued any statements supporting Mr. Reynolds. Hillary Clinton does not even know Mr. Reynolds.

Furthermore, Mr. Reynolds is on the record stating that he does not endorse Hillary Clinton's campaign for President. Also, Mr. Reynolds has made clear his opposition to the Clinton/Obama war on coal. Mr. Reynolds has a long record of supporting coal during his service in the House of Delegates. The UMWA and the West Virginia Coal Association has repeatedly endorsed his campaign for re-election.

Mountaineers Are Always Free is one of the Super PACs established by the Republican Attorneys General Association to attack Democratic attorney general candidates. The predominant strategy of these Republican Super PACs is to link Democratic candidates to

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Hillary Clinton in states where Secretary Clinton is unpopular. These PACs methodically declare that the candidates they are established to attack are Clinton devotees regardless of the truth. This is precisely the unsavory campaign tactic that is prohibited by the West Virginia Election Law.

West Virginia Code § 3-8-11 provides as follows:

Any person who shall, knowingly, make or publish, or cause to be made or published, any false statement in regard to any candidate, which statement is intended or tends to affect any voting at any election whatever . . . [i]s guilty of a misdemeanor, and, on conviction thereof, shall be fined not more than ten thousand dollars or confined in jail for not more than one year, or, in the discretion of the court, shall be subject to both such fine and imprisonment.

The false statements regarding Hillary Clinton supporting Doug Reynolds's campaign, and Doug Reynolds supporting Hillary Clinton's campaign are obviously intended to affect voting in the Attorney General race by misleading West Virginia voters regarding Mr. Reynolds. As such, the statement violates West Virginia law.

We hereby demand that you immediately cease and desist broadcasting the advertisement in question.

Please contact me at your earliest convenience at arp@ramlaw.com or 304-347-8307 to advise me of your station's actions in regards to the false advertisement in question.

Sincerely,


Allen R. Prunty

ARP:paj